

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17 BK 3283-LTS

**Re: ECF Nos. 21912, 22037**

(Jointly Administered)

**URGENT CONSENSUAL MOTION FOR EXTENSION OF DEADLINES**

To the Honorable United States District Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth” or the “Debtor”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> respectfully submits this urgent consensual motion (the “Urgent Motion”) for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Granting Urgent Consensual Motion for Extension of Deadlines* [ECF No. 22037] (the “Scheduling Order”).

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

**Request for Relief**

1. On August 23, 2022, Cruz Alberto Rivera Quiñones, Luis F. Cruz Figueroa, Cruz Rivera Avilés, Carmen Quiñones Figueroa, Hainze Rivera Quiñones, Lorraine Quiñones Jorge, Nicmari Rodríguez Colón, Jorge David Rivera Vega, Cruz Josué Rivera Vega, Derek Rivera Rodríguez, María de los Ángeles Figueroa Quero and Alexandra M. Dávila Sierra (collectively, “Movants”) filed a *Motion for Relief from Automatic Stay* [ECF No. 21912] (the “Motion”), requesting this Court “issue a modification of the automatic stay imposed under Section 362 of the Bankruptcy Code in order to continue the pending federal court litigation of their case, provided movants will not execute against any assets of the estate, without further order from this Court,” in connection with a case filed by Movants in the United States District Court for the District of Puerto Rico, Civil Case no. 15-02382(PAD). *See* Motion at 13.

2. Pursuant to the Scheduling Order, responses to the Motion must be filed by September 20, 2022, and Movants’ reply by September 27, 2022.

3. An extension of the briefing schedule will allow the Commonwealth and Movants to discuss the possibility of a consensual resolution to the Motion. Accordingly, the Commonwealth, with Movants’ consent, proposes the following extensions of the deadlines set forth in the Scheduling Order:

- The deadline to respond to the Motion shall be extended to **October 4, 2022**.
- The deadline for Movants to file a reply to a response, if any, shall be extended to **October 11, 2022**.
- The Court will thereafter take the Motion on submission, unless the Court determines that a hearing is necessary.

4. Pursuant to Paragraph I.H of the *Sixteenth Amended Notice, Case Management and Administrative Procedures* [ECF No. 20190-1] (the “Case Management Procedures”), the Commonwealth hereby certifies that it has carefully examined the matter and concluded that there is a true need for an urgent motion; it has not created the urgency through any lack of due diligence; has made a bona fide effort to resolve the matter without a hearing; and has made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; and Movants consent to the request in this urgent motion.

#### **Notice**

5. The Commonwealth has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors’ bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) all parties filing a notice of appearance in these Title III cases; and (i) Movants. A copy of the motion is also available on the Commonwealth’s case website at <https://cases.primeclerk.com/puertorico/>.

6. The Commonwealth submits that, in light of the nature of the relief requested, no other or further notice need be given.

*[Remainder of Page Left Intentionally Blank]*

**WHEREFORE** the Commonwealth requests the Court enter the Proposed Order and grant such other relief as is just and proper.

Dated: September 20, 2022  
San Juan, Puerto Rico

/s/ Brian S. Rosen

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

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*Attorneys for the Financial Oversight and  
Management Board as representative for  
the Commonwealth of Puerto Rico*

**Exhibit A**

**Proposed Order**

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>3</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

**Re: ECF No.** \_\_\_\_\_

(Jointly Administered)

**ORDER GRANTING URGENT  
MOTION FOR EXTENSION OF DEADLINES**

Upon the *Urgent Consensual Motion for Extension of Deadlines* [ECF No. \_\_\_\_] (the “Extension Motion”);<sup>4</sup> and the Court having found it has subject matter jurisdiction over this matter pursuant to PROMESA section 306; and it appearing that venue in this district is proper pursuant to PROMESA section 307; and the Court having found that the relief requested in the Extension Motion is in the best interests of the Commonwealth and Movants; and the Court having found that the Commonwealth provided adequate and appropriate notice of the Extension Motion under the circumstances and that no other or further notice is required; and the Court having

<sup>3</sup> The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

<sup>4</sup> Capitalized terms used but not otherwise defined herein have the meanings given to them in the Extension Motion.

reviewed the Extension Motion; and the Court having determined that the factual bases set forth in the Extension Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Extension Motion is granted as set forth herein.
2. The deadline to respond to the Motion shall be extended to **October 4, 2022**.
3. The deadline for Movants to file a reply shall be extended to **October 11, 2022**.
4. The Court will thereafter take the Motion on submission, unless the Court determines that a hearing is necessary.

Dated: \_\_\_\_\_, 2022

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HONORABLE LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE